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Resolutions adopted by the General Assembly

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/408)]

63/108. Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands

A

General

The General Assembly,

Having considered the questions of the Non-Self-Governing Territories of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands, hereinafter referred to as "the Territories",

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling all resolutions and decisions of the United Nations relating to those Territories, including, in particular, the resolutions adopted by the General Assembly at its sixty-second session on the individual Territories covered by the present resolution,

Recognizing that all available options for self-determination of the Territories are valid as long as they are in accordance with the freely expressed wishes of the peoples concerned and in conformity with the clearly defined principles contained in General Assembly resolutions 1514 (XV) of 14 December 1960, 1541 (XV) of 15 December 1960 and other resolutions of the Assembly,

Recalling its resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 e of the Charter of the United Nations,

[1] Official Records of the General Assembly, Sixty-third Session, Supplement No. 23 (A/63/23), chap. IX.

Expressing concern that more than forty-seven years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[2] there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2010 and the plan of action for the Second International Decade for the Eradication of Colonialism,[3]

Recognizing that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options of self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Noting the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland, and the stated position of the Government of the United States of America on the Non-Self-Governing Territories under their administration,

Noting also the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and in its regional seminars,

Noting further the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

Aware of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Special Committee,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the aegis of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Noting that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through Orders in Council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

Aware of the importance of the international financial services sector for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

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[2] Resolution 1514 (XV).

[3] A/56/61, annex.

Mindful that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time and in consultation with the administering Powers,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options of self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Mindful also that the 2008 Pacific regional seminar was held in Bandung, Indonesia, from 14 to 16 May,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation, and, in this connection, bearing in mind the applicability to the Territories of the programmes of action of all United Nations world conferences[4] and special sessions of the General Assembly in the economic and social sphere,

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

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[4] See Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions Adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum); Report of the World Conference on Natural Disaster Reduction, Yokohama, Japan, 23-27 May 1994 (A/CONF.172/9), chap. I; Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 25 April-6 May 1994 (United Nations publication, Sales No. E.94.I.18 and corrigenda), chap. I; Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex; Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996 (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II; and Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002 (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 2, annex.

Aware that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[5] reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

Recognizing that the annual background working papers prepared by the Secretariat on developments in each of the small Territories,[6] as well as the substantive documentation and information furnished by experts, scholars, non-governmental organizations and other sources, have provided important inputs to update the present resolution,

1. Reaffirms the inalienable right of the peoples of the Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. Also reaffirms that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. Further reaffirms that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in General Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. Requests the administering Powers to transmit regularly to the Secretary-General information called for under Article 73 e of the Charter;

5. Stresses the importance of the Special Committee being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

6. Reaffirms the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and recommends that priority continue to be given, in consultation with the territorial Governments concerned, to the strengthening and diversification of their respective economies;

7. Requests the Territories and the administering Powers to take all measures necessary to protect and conserve the environment of the Territories against any

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[5] See resolution 2200 A (XXI), annex.

[6] A/AC.109/2008/2-4, 6, 7, 10 and Corr.1, 11, 12 and 15-17.

degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories and to provide assistance to those Territories, consistent with their prevailing rules of procedure;

8. Welcomes the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

9. Stresses the importance of implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[3] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent of the implementation of the Declaration in each Territory, and that the working papers prepared by the Secretariat on each Territory should fully reflect developments in those Territories;

10. Calls upon the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 e of the Charter and the Declaration, and in order to advise the Special Committee on the implementation of provisions under Article 73 b of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

11. Urges Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the Second International Decade for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. Stresses the importance of the constitutional reviews in the respective Territories administered by the United Kingdom of Great Britain and Northern Ireland and the United States of America, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements, and decides to follow closely the developments concerning the future political status of those Territories;

13. Requests the Secretary-General to report to the General Assembly at its sixty-fourth session on the implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism;

14. Reiterates its request that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political Rights,[5] with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Special Committee;

15. Requests the Special Committee to collaborate with the Economic and Social Council and its relevant subsidiary intergovernmental bodies, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. Also requests the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its sixty-fourth session and on the implementation of the present resolution.

64th plenary meeting
5 December 2008

B

INDIVIDUAL TERRITORIES

The General Assembly,

Referring to resolution A above,

I

American Samoa

Taking note of the working paper prepared by the Secretariat on American Samoa[7] and other relevant information,

Aware that under United States law the Secretary of the Interior has administrative jurisdiction over American Samoa,[8]

Noting the position of the administering Power and the statements made by representatives of American Samoa in regional seminars expressing satisfaction with the Territory's present relationship with the United States of America,

Aware of the work of the Future Political Status Study Commission, completed in 2006, and the release of its report, with recommendations, in January 2007, to help the Territory study alternative forms of future political status open to American Samoa and to assess the advantages and disadvantages of each,

Noting, in that regard, the information contained in the paper provided by the Chairman of the Future Political Status Study Commission and distributed at the 2008 Pacific regional seminar requesting the Special Committee to review the Territory's status as a Non-Self-Governing Territory, with a view to accepting the Territory's future political status once chosen by its people,

Aware that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government, and calling upon the administering Power to assist the territorial Government in the diversification of its economy,

1. Welcomes the work of the territorial Government and legislature with regard to the recommendations made by the Future Political Status Study Commission in preparation for a constitutional convention addressing issues related to the future status of American Samoa;

2. Stresses the importance of the invitation previously extended to the Special Committee by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if

[7] A/AC.109/2008/3.

[8] United States Congress, 1929 (48 U.S.C. Sec. 1661, 45 Stat. 1253), and Secretary's Order 2657, Department of the Interior, United States of America, 1951, as amended.

the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. Requests the administering Power to assist the Territory by facilitating its work concerning a public awareness programme recommended by the Future Political Status Study Commission in its 2007 report, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

II

Anguilla

Taking note of the working paper prepared by the Secretariat on Anguilla[9] and other relevant information,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, hosted by the territorial Government and made possible by the administering Power, the first time that the seminar had been held in a Non-Self-Governing Territory,

Taking note of the internal constitutional review process resumed by the territorial Government in 2006, the work of the Constitutional and Electoral Reform Commission, which prepared its report in August 2006, and the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power, as well as of the territorial Government's recent decision to revisit the recommendations of the Commission, in order to move the process forward, with the aim of seeking full internal self-government,

Aware that the Government intends to continue its commitment to high-end tourism and the implementation of various regulations in the financial services sector,

Noting the participation of the Territory as an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

1. Welcomes the work of the Constitutional and Electoral Reform Commission and its report of 2006, the holding of public and other consultative meetings in 2007, with the aim of making recommendations to the administering Power on proposed changes to the Constitution of the Territory and the subsequent efforts of the territorial Government to advance the internal constitutional review exercise;

2. Stresses the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chairperson of the Special Committee to take all the necessary steps to that end;

3. Requests the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

[9] A/AC.109/2008/7.

III

Bermuda

Taking note of the working paper prepared by the Secretariat on Bermuda[10] and other relevant information,

Conscious of the different viewpoints of the political parties on the future status of the Territory, and noting a recent survey by local media on the matter,

Recalling the dispatch of the United Nations special mission to Bermuda in 2005 at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) and on the experiences of other small States that have achieved a full measure of self-government,

1. Stresses the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough examination of the facts surrounding independence, and regrets that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. Requests the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

IV

British Virgin Islands

Taking note of the working paper prepared by the Secretariat on the British Virgin Islands[11] and other relevant information,

Recalling the 1993 report of the Constitutional Commissioners, the 1996 debate on the report in the Legislative Council of the Territory, the establishment of the Constitutional Review Commission in 2004, the completion in 2005 of its report providing recommendations on internal constitutional modernization and the debate held in 2005 on the report in the Legislative Council, as well as the negotiations between the administering Power and the territorial Government, which resulted in the adoption of the new Constitution of the Territory in 2007,

Noting that the 2007 Constitution of the British Virgin Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

Noting also the statement made by an expert from the Territory at the 2008 Pacific regional seminar, who presented an analysis of the recently concluded constitutional review process,

Noting further that the Territory continues to emerge as a leading offshore financial centre, with unprecedented growth in its financial and tourism services sectors,

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[10] A/AC.109/2008/10 and Corr.1.

[11] A/AC.109/2008/2.

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. Welcomes the new Constitution of the British Virgin Islands, which took effect in June 2007, and notes the need expressed by the territorial Government for minor constitutional amendments in the years to come;

2. Requests the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. Welcomes the efforts made by the Territory to focus its economic base more on local ownership and on professional service industries other than financial services;

4. Appreciates the efforts made to continue the work of the Inter-Virgin Islands Council between the elected Governments of the British Virgin Islands and the United States Virgin Islands to advance cooperation between the two neighbouring Territories;

V

Cayman Islands

Taking note of the working paper prepared by the Secretariat on the Cayman Islands[12] and other relevant information,

Aware of the 2002 report of the Constitutional Modernization Review Commission, which contained a draft constitution for the consideration of the people of the Territory, the 2003 draft constitution offered by the administering Power and the subsequent discussions between the Territory and the administering Power in 2003, and the reopening of discussions between the administering Power and the territorial Government on internal constitutional modernization in 2006, with the aim of ascertaining the views of the people by way of referendum,

Noting with interest the establishment of the Cayman Islands Constitutional Review Secretariat, which began its work in March 2007 in support of the Territory's constitution modernization initiative, which comprises four phases with regard to constitutional reform, including research and publicity, consultation and public education, a referendum on reform proposals, and negotiations between the administering Power and the territorial Government,

Acknowledging the indication by the territorial Government that certain cost-of-living issues, such as inflation, continue to be a cause for concern,

1. Welcomes the publication by the territorial Government of a consultation paper in January 2008 setting out a number of proposals for constitutional reform, with a view to holding a referendum on those proposals, or revised proposals, later in the year;

2. Requests the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

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[12] A/AC.109/2008/11.

3. Welcomes the efforts made by the territorial Government to address cost-of-living issues in various economic sectors;

VI

Guam

Taking note of the working paper prepared by the Secretariat on Guam [13] and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[14]

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power, providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the previously expressed requests by the elected representatives and non-governmental organizations of the Territory that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

Cognizant that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Aware of deep concerns expressed by civil society and others, including at the 2008 Pacific regional seminar, regarding the potential social and other impacts of the impending transfer of additional military personnel of the administering Power to the Territory,

Aware also of the austerity and fiscal measures undertaken by the territorial Government since 2007, when the Governor declared a financial "state of emergency",

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. Calls once again upon the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding

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[13] A/AC.109/2008/15.

[14] United States Congress, Organic Act of Guam, 1950, as amended.

Chamorro self-determination efforts, and encourages the administering Power and the territorial Government to enter into negotiations on the matter;

2. Requests the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

3. Also requests the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

4. Recalls the previously made request by the elected Governor to the administering Power to lift restrictions to allow for foreign airlines to transport passengers between Guam and the United States of America to provide for a more competitive market and increased visitor arrivals;

5. Requests the administering Power to assist the Territory by facilitating public outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

VII

Montserrat

Taking note of the working paper prepared by the Secretariat on Montserrat[15] and other relevant information,

Recalling the 2002 report of the Constitutional Review Commission, the convening of a committee of the House of Assembly in 2005 to review the report and the subsequent discussions between the administering Power and the territorial Government on internal constitutional advancement and devolution of power,

Noting that the negotiating process with the administering Power on a draft constitution, expected to be finalized in the first quarter of 2007, is in progress and that talks, postponed at the request of the territorial Government since more time was needed, are expected to resume in the course of 2008,

Aware that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Recalling the statements made by participants at the 2007 Caribbean regional seminar encouraging the administering Power to commit sufficient resources to meet the Territory's special needs,

Noting with concern the continued consequences of the volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, which continues to have enduring consequences for the economy of the island,

[15] A/AC.109/2008/16.

Acknowledging the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

1. Welcomes the efforts of the territorial Government to continue to negotiate improvements to the Constitution of the Territory so as to preserve its ability to move towards greater self-determination at a later stage;

2. Requests the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. Calls upon the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII

Pitcairn

Taking note of the working paper prepared by the Secretariat on Pitcairn[16] and other relevant information,

Taking into account the unique character of Pitcairn in terms of population and area,

Noting that the internal review of the Constitution of the Territory is still deferred,

Aware that the administering Power and the territorial Government are in the process of restructuring the relationship between the Governor's Office and the territorial Government, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

1. Welcomes all efforts by the administering Power that would devolve operational responsibilities to the territorial Government, with a view to expanding self-government;

2. Requests the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. Also requests the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support economic security in Pitcairn;

[16] A/AC.109/2008/4.

IX

Saint Helena

Taking note of the working paper prepared by the Secretariat on Saint Helena[17] and other relevant information,

Taking into account the unique character of Saint Helena in terms of its population, geography and natural resources,

Noting the internal constitutional review process led by the territorial Government since 2001, the completion of a draft constitution following negotiations between the administering Power and the territorial Government in 2003 and 2004, the consultative poll with regard to a new constitution, held in Saint Helena in May 2005, the subsequent preparation of a revised draft constitution as a basis for discussion and the efforts of the territorial Government to keep the constitutional review exercise high on its agenda, including through public meetings,

Noting in that regard the importance of the right to nationality for Saint Helenians and their previously expressed request that the right, in principle, be included in a new constitution,

Aware that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Aware also of the efforts of the administering Power and the territorial Government to improve the socio-economic conditions of the population of Saint Helena, in particular in the areas of employment and transport and communications infrastructure,

Noting the efforts of the Territory to address the problem of unemployment on the island and the joint action of the administering Power and the territorial Government in dealing with it,

Noting also the importance of improving the infrastructure and accessibility of Saint Helena,

1. Welcomes the Territory's continuing constitutional review process, including the related public meetings, and calls upon the administering Power to take into account the previously expressed concerns of Saint Helenians with regard to the right to nationality;

2. Requests the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. Requests the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the Territory's socio-economic development challenges, including unemployment, and limited transport and communications infrastructure;

4. Welcomes the decision by the administering Power to provide funding for the construction of an international airport on Saint Helena, which is to become operational in 2011-2012, including all required infrastructure;

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[17] A/AC.109/2008/6.

X

Turks and Caicos Islands

Taking note of the working paper prepared by the Secretariat on the Turks and Caicos Islands[18] and other relevant information,

Recalling the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006, at the request of the territorial Government and with the concurrence of the administering Power,

Recalling also the 2002 report of the Constitutional Modernization Review Body, and acknowledging the Constitution agreed between the administering Power and the territorial Government, which entered into force in 2006,

Noting that the 2006 Constitution of the Turks and Caicos Islands provides for a Governor, who maintains reserved powers in the Territory, to be appointed by the administering Power,

Acknowledging the significant and steady period of economic expansion fuelled by the continuing growth of high-end tourism and related real estate development,

1. Recalls the Constitution of the Territory, which took effect in 2006, and notes the view of the territorial Government that there remains scope for a degree of delegation of the Governor's power to the Territory so as to secure greater autonomy;

2. Requests the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. Welcomes the continuing efforts made by the Government addressing the need for attention to be paid to the enhancement of social cohesion across the Territory;

XI

United States Virgin Islands

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands[19] and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[20]

Aware also of the ongoing Constitutional Convention, the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as the various related efforts in implementing a public education programme on the Constitution, as outlined in a statement by a participant from the Territory presented to the 2008 Pacific regional seminar,

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[18] A/AC.109/2008/12.

[19] A/AC.109/2008/17.

[20] United States Congress, Revised Organic Act, 1954.

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. Welcomes the establishment of the Constitutional Convention in 2007, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the ongoing internal Constitutional Convention exercise;

2. Requests the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 b of the Charter of the United Nations and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. Reiterates its call for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

4. Appreciates the efforts made to continue the work of the Inter-Virgin Islands Council between the elected Governments of the United States Virgin Islands and the British Virgin Islands to advance cooperation between the two neighbouring Territories.

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Agenda item 37

Resolution adopted by the General Assembly

[*on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/408)*]

63/109 Dissemination of information on decolonization

The General Assembly,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to the dissemination of information on decolonization and publicity for the work of the United Nations in the field of decolonization,[1]

Recalling General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and other resolutions and decisions of the United Nations concerning the dissemination of information on decolonization, in particular Assembly resolution 62/119 of 17 December 2007,

Recognizing the need for flexible, practical and innovative approaches towards reviewing the options of self-determination for the peoples of Non-Self-Governing Territories with a view to implementing the plan of action for the Second International Decade for the Eradication of Colonialism,[2]

Reiterating the importance of dissemination of information as an instrument for furthering the aims of the Declaration, and mindful of the role of world public opinion in effectively assisting the peoples of Non-Self-Governing Territories to achieve self-determination,

Recognizing the role played by the administering Powers in transmitting information to the Secretary-General in accordance with the terms of Article 73 *e* of the Charter of the United Nations,

Recognizing also the role of the Department of Public Information of the Secretariat, through the United Nations information centres, in the dissemination of information at the regional level on the activities of the United Nations,

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[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* (A/63/23), chap. III.

[2] A/56/61, annex.

Welcoming the issuance by the Department of Public Information, in consultation with the United Nations Development Programme, the specialized agencies and the Special Committee, of an information leaflet on assistance programmes available to the Non-Self-Governing Territories,

Aware of the role of non-governmental organizations in the dissemination of information on decolonization,

1. *Approves* the activities in the field of dissemination of information on decolonization undertaken by the Department of Public Information and the Department of Political Affairs of the Secretariat, in accordance with the relevant resolutions of the United Nations on decolonization, in particular the preparation, in accordance with General Assembly resolution 61/129 of 14 December 2006, of the information leaflet entitled "What the UN Can Do to Assist Non-Self-Governing Territories", issued in March 2007, and encourages wide dissemination of the information leaflet;

2. *Considers it important* to continue and expand its efforts to ensure the widest possible dissemination of information on decolonization, with particular emphasis on the options of self-determination available for the peoples of Non-Self-Governing Territories, and to this end, requests the Department of Public Information to empower the United Nations information centres in the relevant regions to disseminate material to the Non-Self-Governing Territories;

3. *Requests* the Secretary-General to further enhance the information provided on the United Nations decolonization website by including the full series of reports of the regional seminars on decolonization, the statements and scholarly papers presented at those seminars and links to the full series of reports of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

4. *Requests* the Department of Public Information to continue its efforts to update web-based information on the assistance programmes available to the Non-Self-Governing Territories;

5. *Requests* the Department of Political Affairs and the Department of Public Information to implement the recommendations of the Special Committee and to continue their efforts to take measures through all the media available, including publications, radio and television, as well as the Internet, to give publicity to the work of the United Nations in the field of decolonization and, inter alia:

(*a*) To develop procedures to collect, prepare and disseminate, particularly to the Territories, basic material on the issue of self-determination of the peoples of the Non-Self-Governing Territories;

(*b*) To seek the full cooperation of the administering Powers in the discharge of the tasks referred to above;

(*c*) To explore the idea of a programme of collaboration with the decolonization focal points of territorial Governments, particularly in the Pacific and Caribbean regions, to help improve the exchange of information;

(*d*) To encourage the involvement of non-governmental organizations in the dissemination of information on decolonization;

(*e*) To encourage the involvement of Non-Self-Governing Territories in the dissemination of information on decolonization;

(*f*) To report to the Special Committee on measures taken in the implementation of the present resolution;

6. *Requests* all States, including the administering Powers, to accelerate the dissemination of information referred to in paragraph 2 above;

7. *Requests* the Special Committee to continue to examine this question and to report to the General Assembly at its sixty-fourth session on the implementation of the present resolution.

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Resolution adopted by the General Assembly

[on the report of the Special Political and Decolonization Committee (Fourth Committee) (A/63/408)]

63/110. Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

The General Assembly,

Having examined the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[1]

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all its subsequent resolutions concerning the implementation of the Declaration, the most recent of which was resolution 62/120 of 17 December 2007, as well as the relevant resolutions of the Security Council,

Bearing in mind its resolution 55/146 of 8 December 2000, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and the need to examine ways to ascertain the wishes of the peoples of the Non-Self-Governing Territories on the basis of resolution 1514 (XV) and other relevant resolutions on decolonization,

Recognizing that the eradication of colonialism has been one of the priorities of the United Nations and continues to be one of its priorities for the decade that began in 2001,

Reconfirming the need to take measures to eliminate colonialism by 2010, as called for in its resolution 55/146,

Reiterating its conviction of the need for the eradication of colonialism, as well as racial discrimination and violations of basic human rights,

Noting with satisfaction the achievements of the Special Committee in contributing to the effective and complete implementation of the Declaration and other relevant resolutions of the United Nations on decolonization,

[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 23* and addendum (A/63/23 and Add.1).

Stressing the importance of the formal participation of the administering Powers in the work of the Special Committee,

Noting with interest the cooperation and active participation of some administering Powers in the work of the Special Committee, and encouraging the others also to do so,

Taking note that the Pacific regional seminar was held in Bandung, Indonesia, from 14 to 16 May 2008,

1. *Reaffirms* its resolution 1514 (XV) and all other resolutions and decisions on decolonization, including its resolution 55/146, by which it declared the period 2001–2010 the Second International Decade for the Eradication of Colonialism, and calls upon the administering Powers, in accordance with those resolutions, to take all steps necessary to enable the peoples of the Non-Self-Governing Territories concerned to exercise fully as soon as possible their right to self-determination, including independence;

2. *Reaffirms once again* that the existence of colonialism in any form or manifestation, including economic exploitation, is incompatible with the Charter of the United Nations, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;[2]

3. *Reaffirms its determination* to continue to take all steps necessary to bring about the complete and speedy eradication of colonialism and the faithful observance by all States of the relevant provisions of the Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples and the Universal Declaration of Human Rights;

4. *Affirms once again its support* for the aspirations of the peoples under colonial rule to exercise their right to self-determination, including independence, in accordance with the relevant resolutions of the United Nations on decolonization;

5. *Calls upon* the administering Powers to cooperate fully with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

6. *Recalls with satisfaction* the professional, open and transparent conduct of both the February 2006 and the October 2007 referendums to determine the future status of Tokelau, monitored by the United Nations;

7. *Requests* the Special Committee to continue to seek suitable means for the immediate and full implementation of the Declaration and to carry out the actions approved by the General Assembly regarding the International Decade for the Eradication of Colonialism and the Second International Decade for the Eradication of Colonialism in all Territories that have not yet exercised their right to self-determination, including independence, and in particular:

(*a*) To formulate specific proposals to bring about an end to colonialism and to report thereon to the General Assembly at its sixty-fourth session;

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[2] Resolution 217 A (III).

(*b*) To continue to examine the implementation by Member States of resolution 1514 (XV) and other relevant resolutions on decolonization;

(*c*) To continue to examine the political, economic and social situation in the Non-Self-Governing Territories, and to recommend, as appropriate, to the General Assembly the most suitable steps to be taken to enable the populations of those Territories to exercise their right to self-determination, including independence, in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(*d*) To develop and finalize, before the end of the Second International Decade for the Eradication of Colonialism and in cooperation with the administering Power and the Territory in question, a constructive programme of work on a case-by-case basis for the Non-Self-Governing Territories to facilitate the implementation of the mandate of the Special Committee and the relevant resolutions on decolonization, including resolutions on specific Territories;

(*e*) To continue to dispatch visiting and special missions to the Non-Self-Governing Territories in accordance with the relevant resolutions on decolonization, including resolutions on specific Territories;

(*f*) To conduct seminars, as appropriate, for the purpose of receiving and disseminating information on the work of the Special Committee, and to facilitate participation by the peoples of the Non-Self-Governing Territories in those seminars;

(*g*) To take all steps necessary to enlist worldwide support among Governments, as well as national and international organizations, for the achievement of the objectives of the Declaration and the implementation of the relevant resolutions of the United Nations;

(*h*) To observe annually the Week of Solidarity with the Peoples of Non-Self-Governing Territories;[3]

8. *Recognizes* that the plan of action for the Second International Decade for the Eradication of Colonialism[4] represents an important legislative authority for the attainment of self-government by the Non-Self-Governing Territories, and that the case-by-case assessment of the attainment of self-government in each Territory can make an important contribution to this process;

9. *Calls upon* all States, in particular the administering Powers, as well as the specialized agencies and other organizations of the United Nations system, to give effect within their respective spheres of competence to the recommendations of the Special Committee for the implementation of the Declaration and other relevant resolutions of the United Nations;

10. *Calls upon* the administering Powers to ensure that economic and other activities in the Non-Self-Governing Territories under their administration do not adversely affect the interests of the peoples but instead promote development, and to assist them in the exercise of their right to self-determination;

11. *Urges* the administering Powers concerned to take effective measures to safeguard and guarantee the inalienable rights of the peoples of the Non-Self-

[3] See resolution 54/91.

[4] A/56/61, annex.

Governing Territories to their natural resources, and to establish and maintain control over the future development of those resources, and requests the administering Powers to take all steps necessary to protect the property rights of the peoples of those Territories;

12. *Urges* all States, directly and through their action in the specialized agencies and other organizations of the United Nations system, to provide moral and material assistance as needed to the peoples of the Non-Self-Governing Territories, and requests the administering Powers to take steps to enlist and make effective use of all possible assistance, on both a bilateral and a multilateral basis, in the strengthening of the economies of those Territories;

13. *Reaffirms* that the United Nations visiting missions to the Territories are an effective means of ascertaining the situation in the Territories, as well as the wishes and aspirations of their inhabitants, and calls upon the administering Powers to continue to cooperate with the Special Committee in the discharge of its mandate and to facilitate visiting missions to the Territories;

14. *Calls upon* all the administering Powers to cooperate fully in the work of the Special Committee and to participate formally in its future sessions;

15. *Requests* the Secretary-General, the specialized agencies and other organizations of the United Nations system to provide economic, social and other assistance to the Non-Self-Governing Territories and to continue to do so, as appropriate, after they exercise their right to self-determination, including independence;

16. *Approves* the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples covering its work during 2008,[1] including the programme of work envisaged for 2009;

17. *Requests* the Secretary-General to provide the Special Committee with the facilities and services required for the implementation of the present resolution, as well as the other resolutions and decisions on decolonization adopted by the General Assembly and the Special Committee.

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